

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

256

CRM-M-28202 of 2017

Date of Decision:15.11.2017

Wazir Chand

.....Petitioner

Versus

State of Haryana and another

.....Respondents

CORAM: HON'BLE MR.JUSTICE HARI PAL VERMA.

Present: Mr. Dishant D. Tuteja, Advocate,
for the petitioner.

Mr. A.S. Chaudhary, Addl. AG, Haryana,
for respondent No.1.

Mr. M.S. Kathuria, Advocate,
for respondent No.2.

HARI PAL VERMA, J.(Oral)

Prayer in this petition filed under Section 482 Cr.P.C. is for quashing of FIR No.778 dated 16.11.2016 under Sections 420, 467, 468, 471 IPC, registered at Police Station Civil Lines, Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom on the basis of compromise dated 02.06.2017 (Annexure P-2).

This Court vide order dated 03.08.2017 had directed the parties to appear before the Illaqa Magistrate/trial Court to get their statements recorded and the learned Magistrate was directed to send its report qua the genuineness of the compromise.

Pursuant to the aforesaid order, parties have appeared before learned Chief Judicial Magistrate, Rohtak and got their statements recorded.

On the basis of the statements so recorded, learned Magistrate has submitted report dated 19.09.2017 to the effect that the parties have compromised the matter without any fear and pressure from any side.

Respondent No.2-Complainant, namely, Kuldeep, has made a statement with regard to compromise before learned Magistrate on 16.09.2017 to the effect that he has compromised the matter with accused-Wazir Chand son of Sh. Mohinder Singh, r/o H. No.1160, Community Centre, Sector 3, Rohtak. The compromise has been arrived at between them with their mutual consent and without any pressure or coercion and he has no objection if the F.I.R. is quashed.

Learned State counsel as well as learned counsel for respondent No.2 have not disputed the factum of compromise between the parties.

In view of the above, no useful purpose would be served to continue with the proceedings before the trial Court in the instant F.I.R.

Following the principles laid down by the Full Bench judgment of this Court in ***Kulwinder Singh and others Versus State of Punjab and another 2007 (3) RCR (Criminal) 1052*** and approved by the Hon'ble Supreme Court in ***Gian Singh Versus State of Punjab and others (2012) 10 SCC 303***, this petition is allowed and FIR No.778 dated 16.11.2016 under Sections 420, 467, 468, 471 IPC, registered at Police Station Civil Lines, Rohtak (Annexure P-1) and all subsequent proceedings arising therefrom are quashed qua the petitioner on the basis of compromise dated 02.06.2017 (Annexure P-2).

November 15, 2017
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(HARI PAL VERMA)
JUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No